

FISCAL NOTE

HB 194 - SB 1174

February 19, 2007

SUMMARY OF BILL: Creates a new Class E felony offense for a sexual or violent sexual offender to threaten, harass or intimidate a former victim or victims' immediate family by telephone, mail, Internet or other electronic communication.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$59,300 / Incarceration*

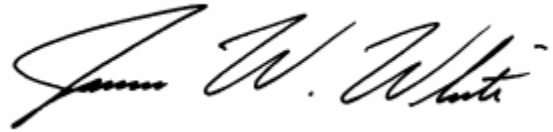
Assumptions:

- According to the Administrative Office of the Courts, there were 76 convictions in 2006 for violation of residential restrictions for sexual or violent sexual offenders. The Department of Correction (DOC) estimates a ten percent increase in convictions due to the additional restrictions pursuant to this bill.
- Eight offenders would be convicted of the Class E felony for harassing, threatening or intimidating a former victim and would serve 0.3 years (109.58 days) in the first year. According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth would result in one additional offender in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on nine offenders serving 109.58 days. The cost per inmate is \$6,592.33 (\$60.16 x 109.58 days). The total additional operating cost for nine offenders is \$59,330.97 (\$6,592.33 x 9).
- According to the Board of Probation and Parole (BOPP), Rule 8 of the Specialized Conditions for Sex Offenders, prohibits this conduct and any activity of this nature constitutes a violation of the conditions of community supervision. This bill will not have a fiscal impact on BOPP because they already monitor for this conduct.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director